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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

**Petition for Cancellation**

Notice is hereby given that the following party has filed a petition to cancel the registration indicated below.

**Petitioner information**

Name	Vermeer Manufacturing Company		
Entity	Corporation	Citizenship	Iowa
Address	1210 VERMEER ROAD EAST PELLA, IA 50219 UNITED STATES		
Attorney information	JORDAN MEGGISON-DECKER BROWWINICK LAW FIRM 666 GRAND AVENUE, SUITE 2000 DES MOINES, IA 50309 UNITED STATES Primary email: ip@brownwinick.com 5152422400		
Docket no.	3563.0388		

**Registration subject to cancellation**

Registration no.	5927317	Registration date	12/03/2019
Register	Principal		
Registrant	AeroCine Ventures Inc. 253 36TH STREET 316B BROOKLYN, NY 11232 UNITED STATES		

**Goods/services subject to cancellation**

Class 009. First Use: May 2019 First Use In Commerce: May 2019 All goods and services in the class are subject to cancellation, namely: Software for augmented reality drone navigation
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**Grounds for cancellation**

Priority and likelihood of confusion	Trademark Act Sections 14(1) and 2(d)
Dilution by blurring	Trademark Act Sections 14(1) and 43(c)

**Marks cited by petitioner as basis for cancellation**

U.S. registration no.	1771115	Application date	09/28/1992
Register	Principal		


Registration date	05/18/1993	Foreign priority date	NONE
Word mark	VERMEER		
Design mark			
Description of mark	NONE		
Goods/services	Class 007. First use: First Use: Dec 1948 First Use In Commerce: Dec 1948 power operated round balers, mowers, hay rakes, bale movers, bale processors, and bale silage wrappers, rubber tired trenchers, track trenchers, pneumatic boring tools, underground boring machines, earth compactors and tampers, grain drills, rock pickers, log splitters, scraper blades, tree spades, stump cutters, brush chippers and parts for all of the above		


U.S. registration no.	2593606	Application date	04/05/2000
Register	Principal		
Registration date	07/16/2002	Foreign priority date	NONE
Word mark	VERMEER		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 007. First use: First Use: Sep 28, 1999 First Use In Commerce: Sep 28, 1999</p> <p>POWER-OPERATED AGRICULTURAL EQUIPMENT, NAMELY HAY BALERS, MOWERS AND CONDITIONERS, HAY RAKES, BALE HANDLING MACHINES, BALE MOVERS, BALE SLICING MACHINES, BALE SILAGE WRAPPERS, BALE PROCESSORS, BALE- WRAPPING MACHINES, HAY TEDDERS, ROCK PICKERS; MATERIAL REDUCING MACHINES, NAMELY, BRUSH CHIPPERS, STUMP CUTTERS, TREE SPADES, CONCRETE CUTTERS; EARTH MOVING ANDEARTH BORING MACHINES, NAMELY RUBBER TIED TRENCHERS, TRACK TRENCHERS, UTILITY TRENCHERS, UNDERGROUND BORING MACHINES, PNEUMATIC BORING MACHINES, EARTH COMPACTING MACHINES AND TAMPERS, VIBRATORY PLOWS, PIERCING MACHINE TOOLS, NAMELY, A PNEUMATIC-OPERATED IMPACT BORING TOOL, HORIZONTAL DIRECTIONAL DRILLING MACHINES; MUD ADDITIVE MIXING MACHINE SYSTEM FOR USEIN DRILLING FLUID APPLICATIONS PRIMARILY COMPRISED OF MUD ADDITIVE MIXING MACHINES AND CONTAINERS FOR STORING AND MIXING BULK MUD ADDITIVES SOLD AS A UNIT, VACUUM EQUIPMENT, NAMELY VACUUM EVACUATION SYSTEMS CONSISTING PRIMARILY OF VACUUM PUMPS AND STRUCTURAL PARTS THEREFOR FOR USE ON HORIZONTAL BORING AND DIRECTIONAL DRILLING MACHINES</p>		

	<p>Class 009. First use: First Use: Sep 28, 1999 First Use In Commerce: Sep 28, 1999</p> <p>ELECTRONIC MONITORS; DISPLAYS, MODULES, SENSORS AND CONTROLS USED FOR AGRICULTURAL, UNDERGROUND BORING, ENVIRONMENTAL, MATERIAL REDUCING, EARTH MOVING, AND MUD ADDITIVE MACHINES AND VACUUM EQUIPMENT; ELECTRONIC DEVICE COMPRISED OF SENSORS AND COMPUTERS USED FOR UNDERGROUND BORING AND TRENCHING AND DESIGNED TO AVOID OBSTACLES AND HAZARDS AND TO CONTROL THE SPEED OF THE BORING TOOL; TERRESTRIAL SUBTERRANEAN GROUND PENETRATING RADAR SENSORS; SURVEYING APPARATUS IN THE NATURE OF A GROUND PENETRATING RADAR AND ELECTROMAGNETIC INDUCTION INSTRUMENTS AND COMPUTER SOFTWARE FOR PROVIDING THREE DIMENSIONAL MAPS, LOCATING BURIED UTILITIES, LOCATING AND IDENTIFYING BEDROCK AND SOILS, LOCATING SOIL AND SOIL/ROCK INTERFACES, IDENTIFYING WATER TABLE DEPTHS, GUIDING THE OPERATION OF BORING, TRENCHING OR OTHER CONSTRUCTION EQUIPMENT, AND/OR GENERATING TOPOGRAPHY AND TERRAIN INFORMATION; COMPUTER SOFTWARE FOR FLEET MANAGEMENT</p>
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U.S. registration no.	3228694	Application date	04/25/2005
Register	Principal		
Registration date	04/10/2007	Foreign priority date	NONE
Word mark	VERMEER		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 016. First use: First Use: Jan 1, 1969 First Use In Commerce: Nov 15, 2004</p> <p>Printed publications relating to agricultural, environmental, underground construction, and industrial equipment and related products and services such as productivity enhancement, customer service and other topics of interest, namely, company newsletters, [ magazines, ] bulletins and manuals; calendars, decals, note pads, binders, stationery portfolios, pencils, pens, [ paperweights, ] letter openers, cookbooks, [ book ends, ] folders for holding stationery [ , photo albums, checkbook holders ]</p>		

U.S. registration no.	6783436	Application date	02/01/2021
Register	Principal		
Registration date	07/05/2022	Foreign priority date	NONE
Word mark	VERMEER		

Design mark	
Description of mark	NONE
Goods/services	Class 007. First use: First Use: Feb 26, 2010 First Use In Commerce: Feb 26, 2010 Screening and sifting machinery, namely, trommel screens being machines, mechanical discharging feed hoppers, screen drum separators, rollers being parts of machines, conveyor belts, and engines not for land vehicles

U.S. application no.	97331059	Application date	03/25/2022
Register	Principal		
Registration date	NONE	Foreign priority date	NONE
Word mark	VERMEER		
Design mark			
Description of mark	NONE		
Goods/services	Class 042. First use: First Use: None First Use In Commerce: None Software as a service (SAAS) services featuring software to collect and manage agricultural data; Software as a service(SAAS) services featuring software to collect and manage hay bale data; Software as a service (SAAS) services featuring software for farming and agriculture business management; Software as a service(SAAS) services featuring software for providing alerts, notifications, records, reports, and other documentation regarding field operation and farm business; Software as a service (SAAS) services featuring software for providing customersand dealers access to machine information; Providing application services, namely, developing, providing, hosting and managing software applications, websites,and databases for accessing and monitoring geographic location, productivity, and maintenance of agricultural equipmentand vehicles		

Attachments	76018669#TMSN.png( bytes ) 78615822#TMSN.png( bytes ) 90502421#TMSN.png( bytes )
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	97331059#TMSN.png( bytes ) 02713943.PDF(1878390 bytes )
Signature	/Jordan Meggison-Decker/
Name	Jordan Meggison-Decker
Date	08/16/2022

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re: Registration No. 5,927,317  
For the Word Mark: VERMEER

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Vermeer Manufacturing Company,

Petitioner,

v.

AeroCine Ventures, Inc.,

Registrant.

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Cancellation No. \_\_\_\_\_

**PETITION FOR CANCELLATION**

Petitioner, Vermeer Manufacturing Company, an Iowa corporation having an address of 1210 Vermeer Road East, Pella, IA 50219 (hereinafter “**Vermeer**”), hereby files this Petition for Cancellation pursuant to 37 C.F.R. § 2.111(b) and T.B.M.P. § 309. Vermeer has been and believes it will continue to be damaged by the existing registration of the word mark VERMEER as shown in U.S. Registration No. 5,927,317 in International Class 009 for “[s]oftware for augmented reality drone navigation” (hereinafter “**the ‘317 Registration**”) registered to AeroCine Ventures, Inc. (hereinafter “**Registrant**”) and hereby petitions to cancel the same.

As grounds for cancellation, Vermeer asserts that:

### THE ‘317 REGISTRATION

1. Registrant has obtained the ‘317 Registration for the mark VERMEER (“**Registrant’s Mark**”) with identified goods and services of “[s]oftware for augmented reality drone navigation” in International Class 009 (“**Registrant’s Goods**”).
2. The application for the ‘317 Registration was filed on February 9, 2018 and was originally filed under Section 1(b) of the Lanham Act, 15 U.S.C. § 1051(b), as an intent-to-use application.
3. Registrant filed a statement of use on September 19, 2019 and such date is the date of first use in commerce listed in the ‘317 Registration.
4. The ‘317 Registration was registered on December 3, 2019.

### VERMEER MARKS

5. Vermeer is the owner of the mark and trade name VERMEER (collectively the “**VERMEER Mark**”). Vermeer adopted and commenced use of the VERMEER Mark at least as early as 1948 in connection with equipment in the agricultural industry, as well as equipment for earth moving, excavation, landscaping, and the like and has continuously used the VERMEER Mark since that time.
6. Over the past 74 years, Vermeer has expanded its usage of the VERMEER Mark and presently sells equipment under the VERMEER Mark including in the following industries and fields: agriculture; fluid management; landscape; pipeline; recycling; surface mining; tree care; utility installation; vacuum excavation; and wood waste (hereinafter collectively referred to as the “**Vermeer Industries**”).

7. Currently, Vermeer is listed as the owner of record for 54 trademark registrations and applications at the United States Patent and Trademark Office, and owns additional foreign trademark registrations and applications, as well as common law rights in and to, the VERMEER Mark and other marks. Vermeer's registrations and applications include the following for the VERMEER Mark:

Reg. or Serial No.	Mark	Goods/Services
Reg. No. 1,771,115	<b>VERMEER</b>	Class 007: Power operated round balers, mowers, hay rakes, bale movers, bale processors, and bale silage wrappers, rubber tired trenchers, track trenchers, pneumatic boring tools, underground boring machines, earth compactors and tampers, grain drills, rock pickers, log splitters, scraper blades, tree spades, stump cutters, brush chippers and parts for all of the above.
Reg. No. 2,593,606	<b>VERMEER</b>	<p>Class 007: Power-operated agricultural equipment, namely hay balers, mowers and conditioners, hay rakes, bale handling machines, bale movers, bale slicing machines, bale silage wrappers, bale processors, bale-wrapping machines, hay tedders, rock pickers; Material reducing machines, namely, brush chippers, stump cutters, tree spades, concrete cutters; Earth moving and earth boring machines, namely rubber tired trenchers, track trenchers, utility trenchers, underground boring machines, pneumatic boring machines, earth compacting machines and tampers, vibratory plows, piercing machine tools, namely, a pneumatic-operated impact boring tool, horizontal directional drilling machines; Mud additive mixing machine system for use in drilling fluid applications primarily comprised of mud additive mixing machines and containers for storing and mixing bulk mud additives sold as a unit, vacuum equipment, namely, vacuum evacuation systems consisting primarily of vacuum pumps and structural parts therefor for use on horizontal boring and directional drilling machines.</p> <p>Class 009: Electronic monitors; Displays, modules, sensors and controls used for agricultural, underground boring, environmental, material reducing, earth moving, and mud additive machines and vacuum equipment; Electronic device comprised of sensors and</p>



		computers used for underground boring and trenching and designed to avoid obstacles and hazards and to control the speed of the boring tool; Terrestrial subterranean ground penetrating radar sensors; surveying apparatus in the nature of a ground penetrating radar and electromagnetic induction instruments and computer software for providing three dimensional maps, locating buried utilities, locating and identifying bedrock and soils, locating soil and soil/rock interfaces, identifying water table depths, guiding the operation of boring, trenching or other construction equipment, and/or generating topography and terrain information; computer software for fleet management.
Reg. No. 3,228,694	<b>VERMEER</b>	Class 016: Printed publications relating to agricultural, environmental, underground construction, and industrial equipment and related products and services such as productivity enhancement, customer service and other topics of interest, namely, company newsletters, [magazines,] bulletins and manuals; calendars, decals, note pads, binders, stationery portfolios, pencils, pens, [paperweights,] letter openers, cookbooks, [book ends,] folders for folding stationery [, photo albums, checkbook holders].
Reg. No. 6,783,436	<b>VERMEER</b>	Class 007: Screening and sifting machinery, namely, trommel screens being machines, mechanical discharging feed hoppers, screen drum separators, rollers being parts of machines, conveyor belts, and engines not for land vehicles.
Serial No. 97/331,059	<b>VERMEER</b>	Class 042: Software as a service (SAAS) services featuring software to collect and manage agricultural data; Software as a service (SAAS) services featuring software to collect and manage hay bale data; Software as a service (SAAS) services featuring software for farming and agricultural business management; Software as a service (SAAS) services featuring software for providing alerts, notifications, records, reports, and other documentation regarding field operation and farm business; Software as a service (SAAS) services featuring software for providing customers and dealers access to machine information; Providing application services, namely, developing, providing, hosting and managing software applications, websites, and databases for accessing and monitoring geographic location, productivity, and maintenance of agricultural equipment and vehicles.

Copies of the TESS printouts of these registrations and application are attached hereto as **Exhibit**

A. All of the registrations listed above are valid, subsisting, and enforceable. Further, Reg. No. 3,228,694, Reg. No. 2,593,606, and Reg. No. 1,771,115 are all incontestable pursuant to 15 U.S.C. § 1065.

8. Over the years, Vermeer has also used variations or derivatives of the VERMEER Mark, such as Vermeer MV Solutions, Vermeer Confidence Plus, and Vermeer Compass, and has been included in marks consisting of words and design aspects, such as Vermeer V Equipped to do More. Registrations for such marks are shown in **Exhibit B**.

9. The VERMEER Mark is the house mark for Vermeer and is used in connection with substantially all of Vermeer's products, services, advertisements and marketing materials, websites, and social media accounts.

10. Vermeer not only sells equipment, it also sells and/or provides software and technology solutions for use with various equipment. For example, as evidenced by U.S. Registration No. 2,593,606 (included in the marks shown in Exhibit A) for the mark "VERMEER," filed on April 5, 2000 and registered on July 16, 2002, Vermeer has been selling or providing, among other things, "computer software for ... identifying bedrock and soils, locating soil and soil/rock interfaces, ... and/or generating topography and terrain information," and "computer software for fleet management" since at least as early as 1999.

11. Beyond the software identified in U.S. Registration No. 2,593,606, Vermeer also incorporates software into all or nearly all of its equipment and machinery to control the functions, operations, and navigation of such equipment and machinery, and sells such software in connection with the VERMEER Mark. Through such use, Vermeer has gained common law

rights in the VERMEER Mark for use in connection with software for various equipment and machinery.

12. Vermeer is continually innovating and adapting in order to meet the needs of their customers. As technology continues to evolve and become more integrated into our lives, equipment, and machinery, Vermeer is exploring new uses of technology in all of their equipment and machinery.

13. In an effort to continue to protect and ensure its exclusive use of the VERMEER Mark for software it has a bona-fide intent to use, Vermeer filed a trademark application under Section 1(b) of the Lanham Act, 15 U.S.C. § 1051(b) which has been assigned U.S. Application Serial No. 97/331,059 (included in the marks shown in Exhibit A). The application is for the mark “VERMEER” used in connection with various software as a service (SAAS) services and other services relating to software applications, websites, and databases in anticipation of further expansion of the software applications and services which it sells and offers to its customers.

14. As a result of 74 years of offering various products and services under and/or in connection with the VERMEER Mark, the VERMEER Mark is a well-recognized symbol in the United States for Vermeer and only Vermeer.

15. The VERMEER Mark is distinctive, either inherently or through acquired distinctiveness, and is well-known and respected by consumers. The VERMEER Mark signifies to customers the high-quality goods and services Vermeer produces and offers.

16. In view of its expansive use of the VERMEER Mark, Vermeer has developed an enormous amount of goodwill in the VERMEER Mark.

17. As a result of Vermeer’s long use and extensive promotion of the VERMEER Mark, the VERMEER Mark has become distinctive to designate Vermeer, to distinguish Vermeer and

its products and services from the products and services of others, and to distinguish the source or origin of Vermeer's products and services.

18. As a result of Vermeer's efforts, the consuming public throughout the United States widely recognizes and associates the VERMEER Mark with Vermeer and its products and services.

19. As a result of VERMEER's long use and extensive promotion of the VERMEER mark, Vermeer has also acquired valuable common law rights in the VERMEER Mark throughout the United States.

20. As a result of VERMEER's long use and extensive promotion of the VERMEER Mark and the success of Vermeer's products and services sold and offered under the VERMEER Mark, the VERMEER Mark has become famous.

21. Vermeer's VERMEER Mark became famous prior to the filing date and the date of first use of the '317 Registration.

### **SIMILARITY OF THE MARKS**

22. Registrant's Mark is identical to Vermeer's VERMEER Mark and purchasers and prospective purchasers are likely to mistakenly believe that Registrant's Goods are offered, sponsored, endorsed, or approved by Vermeer, or in some way affiliated, connected, or associated with Vermeer when Registrant's Mark is used on Registrant's Goods.

23. Registrant's Mark is identical to Vermeer's VERMEER Mark and is likely, when used on or in connection with Registrant's Goods, to dilute the distinctive quality of the VERMEER Mark by blurring, in violation of 15 U.S.C. § 1125(c).

## RELATEDNESS OF GOODS AND SERVICES

24. Drones (and software for controlling various functions and abilities of, and analyzing data captured by, drones) are increasingly used as equipment in many different industries and fields, including in the Vermeer Industries. **Exhibit C** shows numerous marks owned by various companies which show the use of drones (and software for drones) in industries and fields such as the Vermeer Industries. The marks in Exhibit C are the following:

- U.S. Registration No. 6,016,704 for the mark “FARM ROAD” for use in connection with goods and services including, among others, “downloadable computer software, downloadable computer software applications, downloadable computer software and downloadable computer applications, downloadable cloud-computing software and applications, and downloadable cloud-based software and applications, all for use in the operation and control of drones and robots used in agriculture and horticulture” in Class 009.
- U.S. Registration No. 6,720,689 for the mark “ULTO” for use in connection with goods and services including, among others, “[d]ownloadable computer software for robots and artificial intelligence for operating industrial robots, drones, and robotic cars; embedded computer software for robots and artificial intelligence for operating industrial robots, drones, and robotic cars” in Class 009.
- U.S. Registration No. 5,477,791 for the design mark “DATA DRONE” for use in connection with goods and services including, among others, “computer software for the processing and transmission of data, documents, sound, and images, namely, software for aerial drone surveying and mapping; computer software for database management; computer programs for data management of digital images

in the fields of mining, agriculture, hydrology, and industrial inspection” in Class 009.

- U.S. Registration No. 6,060,876 for the mark “EVERDRONE” for use in connection with goods and services including, among others, “[u]nmanned aerial vehicles for transportation, inspections, inventory, photography, filming, mapping, paging, monitoring, agricultural business, forestry business; autonomous vehicles, namely, aircraft and drones” in Class 012.
- U.S. Registration No. 5,404,272 for the mark “AUTOGROW” for use in connection with goods and services including, among others, “computer software and computer software applications and downloadable computer software and computer software applications, all for use in the operation and control of drones and robots used in agriculture and horticulture” in Class 009.
- U.S. Registration No. 6,356,197 for the design mark “TRIMBLE POWERED” for use in connection with goods and services including, among others, “[g]lobal navigation satellite system (GNSS) surveying systems, namely, GNSS receivers, antennas, sensors, computer hardware and software for use in collecting, organizing, processing, transmitting and viewing data derived from global navigation satellite systems (GNSS) receivers and sensors, and radio signal transmitters, and with wireless data transmission capabilities, all for use in geographical information systems field work, agricultural and construction work, land surveying, forestry, public safety, field services, utilities, military and other outdoor or service-related applications; ... [s]oftware for operating unmanned

aerial systems (UAS) comprised of drones and remote controllers for drones” in Class 009.

25. From the examples in Exhibit C, as well as various other examples, it is clear that drones, and software for drones, are related to Vermeer’s goods and services, and are used in the Vermeer Industries, thereby creating an affiliation or connection with Vermeer’s goods and services.

26. Registrant’s Goods are “[s]oftware for augmented reality drone navigation.” Augmented reality presents a digital image, or digital information, over an image of a person’s view of the real-life environment.<sup>1</sup>

27. Vermeer sells software and technology solutions, for all or nearly all of its equipment, and such sales are made in connection with the VERMEER Mark, as discussed above. Vermeer’s software for its equipment and Registrant’s Goods are similar, even though Vermeer’s software is not specifically used for drones at this time.

28. Additionally, Vermeer offers software with similar functionality to the software identified in Registrant’s Goods because at least some of Vermeer’s software has augmented reality capabilities. For example, as shown in **Exhibit D**, Vermeer Projects is a software tool which has been offered by Vermeer since at least as early as 2017 and has capabilities allowing a user to overlay pictures of a jobsite with digital images and/or information such as utilities locations, bore paths, and more. In other words, Vermeer Projects is software with augmented reality capabilities. Because Vermeer offers nearly identical software functionality for use with

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<sup>1</sup> See, e.g., Augmented Reality, Merriam-Webster, <https://www.merriam-webster.com/dictionary/augmented%20reality>, accessed July 26, 2022. (“an enhanced version of reality created by the use of technology to overlay digital information on an image of something being viewed through a device (such as a smartphone camera)”).

its equipment and machinery, the software offered by Vermeer and Registrant's Goods are similar.

29. Due to the use of identical marks on similar goods and services, the '317 Registration is likely to cause confusion as to source between Registrant's Goods and various Vermeer goods and services offered or sold under the VERMEER Mark.

### **NATURAL ZONE OF EXPANSION**

30. Further, Vermeer is entitled to "extend the use thereof to all products or services which might naturally be supposed to originate with it in the normal expansion of its business, notwithstanding that the expansion to a particular product may be subsequent in use to that of another party." *Gunter v. Howard D. Johnson Co.*, 161 U.S.P.Q. 233 \*9 (TTAB 1969).

31. In this case, drones are commonly and increasingly used in the Vermeer Industries, as well as similar industries and fields, as discussed above. Vermeer offers software for use with its equipment, including software which has augmented reality capabilities, as discussed above. Because drones are commonly and increasingly used in the Vermeer Industries and because Vermeer offers software for its equipment, including software which has augmented reality capabilities, a consumer would naturally expect that "software for augmented reality drone navigation" would originate in the normal expansion of Vermeer's business. Therefore, Vermeer is entitled to expand its use of the VERMEER Mark to "software for augmented reality drone navigation."



### **DAMAGE TO VERMEER**

32. Continued registration of the ‘317 Registration would be a source of damage to Vermeer because purchasers are likely to attribute the source or sponsorship of Registrant’s Goods to Vermeer.

33. Continued registration of the ‘317 Registration would be a source of damage to Vermeer because it is likely to dilute the distinctive quality of the VERMEER Mark by blurring.

34. Continued registration of the ‘317 Registration would be a source of damage to Vermeer, as it would confer upon Registrant various statutory presumptions to which it is not entitled in view of Vermeer’s long prior use of the VERMEER Mark.

### **COUNT 1 – TRADEMARK INFRINGEMENT UNDER 15 U.S.C. § 1114**

35. Vermeer restates and realleges the foregoing allegations of paragraphs 1 through 34 as if set forth fully herein.

36. Registrant’s Mark and the VERMEER Mark are identical and Registrant’s Mark is likely, when used on or in connection with Registrant’s Goods, to cause confusion, or to cause mistake, or to deceive consumers.

37. Purchasers and prospective purchasers are likely to falsely believe that Registrant’s Goods offered under Registrant’s Mark are sponsored, endorsed, or approved by Vermeer, or are in some way affiliated, connected, or associated with Vermeer.

38. Registrant’s use of Registrant’s Mark constitutes trademark infringement under 15 U.S.C. §§ 1114, 1125.

39. Continued registration of the ‘317 Registration would be a source of damage to Vermeer as set forth above.

**COUNT 2 – TRADEMARK DILUTION UNDER 15 U.S.C. § 1125(c)**

40. Vermeer restates and realleges the foregoing allegations of paragraphs 1 through 39 as if set forth fully herein.

41. Based on the inherent or acquired distinctiveness of the VERMEER Mark, the duration and extent of Vermeer’s use of the VERMEER Mark, the duration and extent of advertising featuring the VERMEER Mark, the geographic area in which Vermeer has sold and advertised goods or services featuring the VERMEER Mark, the nature of the trade channels Vermeer used to market its goods or services featuring the VERMEER Mark, the degree of public recognition of the VERMEER Mark, and the various federal registrations for the VERMEER Mark, the VERMEER Mark has become famous as contemplated by 15 U.S.C. § 1125(c).

42. Registrant’s use of Registrant’s Mark on Registrant’s Goods, all occurring after the VERMEER Mark became famous, has caused and continues to cause dilution or are likely to cause dilution of the famous VERMEER Mark and thus constitute trademark dilution in violation of 15 U.S.C. § 1125(c).

43. Continued registration of the ‘317 Registration will cause Vermeer to suffer irreparable injury and harm, as set forth above.

**PRAYER**

WHEREFORE, Petitioner, Vermeer Manufacturing Company, respectfully prays this Board cancel U.S. Registration No. 5,927,317, that this Petition be sustained in favor of Vermeer, and for such other and further relief as the Board deems appropriate under the circumstances.

Respectfully submitted,

Date: August 16, 2022

/Jordan E. Meggison-Decker/

Jordan E. Meggison-Decker, Reg. No. 74,127  
State of Iowa Bar Member, Bar Membership No. 29872  
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Customer No. 47608

CERTIFICATE OF TRANSMISSION UNDER TBMP 110

I HEREBY CERTIFY that the foregoing Petition for Cancellation is being filed electronically through <http://estta.uspto.gov> via the Trademark Trial and Appeal Board Electronic Filing System on Tuesday, the 16th day of August, 2022.

Date: August 16, 2022

/Jordan E. Meggison-Decker/

Jordan E. Meggison-Decker, Reg. No. 74,127  
State of Iowa Bar Member, Bar Membership No. 29872  
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Customer No. 47608

CERTIFICATE OF SERVICE UNDER TBMP 113

I HEREBY CERTIFY that a true and complete copy of the foregoing Petition for Cancellation has been served on the correspondent of record for the Registrant, AeroCine Ventures, Inc., by sending said copy on August 16, 2022 by electronic mail, to:

Xavier Morales  
Law Office of Xavier Morales  
PO Box 6510  
San Antonio, TX 78209  
Phone No.: 866-618-2517  
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Date: August 16, 2022

/Jordan E. Meggison-Decker/

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Customer No. 47608

## EXHIBIT A

U.S. Registration No. 1,771,115

<b>TSDR</b>	<b>ASSIGN Status</b>	<b>TTAB Status</b>	( Use the "Back" button of the Internet Browser to return to TESS)
<b>Typed Drawing</b>			
<b>Word Mark</b>	VERMEER		
<b>Goods and Services</b>	IC 007. US 023. G & S: power operated round balers, mowers, hay rakes, bale movers, bale processors, and bale silage wrappers, rubber tired trenchers, track trenchers, pneumatic boring tools, underground boring machines, earth compactors and tampers, grain drills, rock pickers, log splitters, scraper blades, tree spades, stump cutters, brush chippers and parts for all of the above. FIRST USE: 19481200. FIRST USE IN COMMERCE: 19481200		
<b>Mark Drawing Code</b>	(1) TYPED DRAWING		
<b>Serial Number</b>	74317806		
<b>Filing Date</b>	September 28, 1992		
<b>Current Basis</b>	1A		
<b>Original Filing Basis</b>	1A		
<b>Published for Opposition</b>	February 23, 1993		
<b>Registration Number</b>	1771115		
<b>Registration Date</b>	May 18, 1993		
<b>Owner</b>	(REGISTRANT) Vermeer Manufacturing Company CORPORATION IOWA 1210 VERMEER ROAD EAST Pella IOWA 50219		
<b>Attorney of Record</b>	Jordan E. Meggison-Decker		
<b>Type of Mark</b>	TRADEMARK		
<b>Register</b>	PRINCIPAL-2(F)		
<b>Affidavit Text</b>	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130321.		
<b>Renewal</b>	2ND RENEWAL 20130321		
<b>Live/Dead Indicator</b>	LIVE		
<b>TESS HOME</b>	<b>NEW USER</b>	<b>STRUCTURED</b>	<b>FREE FORM</b>
<b>BROWSE DICT</b>	<b>SEARCH OG</b>	<b>TOP</b>	<b>HELP</b>

U.S. Registration No. 2,593,606

TSDR		ASSIGN Status		TTAB Status		( Use the "Back" button of the Internet Browser to return to TESS)	
<b>VERMEER</b>							
Word Mark	VERMEER						
Goods and Services	<p>IC 007. US 013 019 021 023 031 034 035. G &amp; S: POWER-OPERATED AGRICULTURAL EQUIPMENT, NAMELY HAY BALERS, MOWERS AND CONDITIONERS, HAY RAKES, BALE HANDLING MACHINES, BALE MOVERS, BALE SLICING MACHINES, BALE SILAGE WRAPPERS, BALE PROCESSORS, BALE-WRAPPING MACHINES, HAY TEDDERS, ROCK PICKERS; MATERIAL REDUCING MACHINES, NAMELY BRUSH CHIPPERS, STUMP CUTTERS, TREE SPADES, CONCRETE CUTTERS; EARTH MOVING AND EARTH BORING MACHINES, NAMELY RUBBER TIERED TRENCHERS, TRACK TRENCHERS, UTILITY TRENCHERS, UNDERGROUND BORING MACHINES, PNEUMATIC BORING MACHINES, EARTH COMPACTING MACHINES AND TAMPERS, VIBRATORY PLOWS, PIERCING MACHINE TOOLS, NAMELY A PNEUMATIC-OPERATED IMPACT BORING TOOL, HORIZONTAL DIRECTIONAL DRILLING MACHINES; MUD ADDITIVE MIXING MACHINE SYSTEM FOR USE IN DRILLING FLUID APPLICATIONS PRIMARILY COMPRISED OF MUD ADDITIVE MIXING MACHINES AND CONTAINERS FOR STORING AND MIXING BULK MUD ADDITIVES SOLD AS A UNIT, VACUUM EQUIPMENT, NAMELY VACUUM EVACUATION SYSTEMS CONSISTING PRIMARILY OF VACUUM PUMPS AND STRUCTURAL PARTS THEREFOR FOR USE ON HORIZONTAL BORING AND DIRECTIONAL DRILLING MACHINES. FIRST USE: 19990928. FIRST USE IN COMMERCE: 19990928</p> <p>IC 009. US 021 023 026 036 038. G &amp; S: ELECTRONIC MONITORS; DISPLAYS, MODULES, SENSORS AND CONTROLS USED FOR AGRICULTURAL, UNDERGROUND BORING, ENVIRONMENTAL, MATERIAL REDUCING, EARTH MOVING, AND MUD ADDITIVE MACHINES AND VACUUM EQUIPMENT; ELECTRONIC DEVICE COMPRISED OF SENSORS AND COMPUTERS USED FOR UNDERGROUND BORING AND TRENCHING AND DESIGNED TO AVOID OBSTACLES AND HAZARDS AND TO CONTROL THE SPEED OF THE BORING TOOL; TERRESTRIAL SUBTERRANEAN GROUND PENETRATING RADAR SENSORS; SURVEYING APPARATUS IN THE NATURE OF A GROUND PENETRATING RADAR AND ELECTROMAGNETIC INDUCTION INSTRUMENTS AND COMPUTER SOFTWARE FOR PROVIDING THREE DIMENSIONAL MAPS, LOCATING BURIED UTILITIES, LOCATING AND IDENTIFYING BEDROCK AND SOILS, LOCATING SOIL AND SOIL/ROCK INTERFACES, IDENTIFYING WATER TABLE DEPTHS, GUIDING THE OPERATION OF BORING, TRENCHING OR OTHER CONSTRUCTION EQUIPMENT, AND/OR GENERATING TOPOGRAPHY AND TERRAIN INFORMATION; COMPUTER SOFTWARE FOR FLEET MANAGEMENT. FIRST USE: 19990928. FIRST USE IN COMMERCE: 19990928</p>						
Mark Drawing Code	(1) TYPED DRAWING						
Serial Number	76018669						
Filing Date	April 5, 2000						
Current Basis	1A						
Original Filing Basis	1A						
Published for Opposition	April 23, 2002						
Registration Number	2593606						
International Registration Number	1158489						
Registration Date	July 16, 2002						
Owner	(REGISTRANT) VERMEER MANUFACTURING COMPANY CORPORATION IOWA 1210 Vermeer Road East P.O. Box 200 Pella IOWA 50219						
Attorney of Record	Jordan E. Meggison-Decker						
Prior Registrations	1771115						
Type of Mark	TRADEMARK						
Register	PRINCIPAL-2(F)						
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20111207.						
Renewal	1ST RENEWAL 20111207						
Live/Dead Indicator	LIVE						
<a href="#">TESS HOME</a> <a href="#">NEW USER</a> <a href="#">STRUCTURED</a> <a href="#">FREE FORM</a> <a href="#">BROWSE DICT</a> <a href="#">SEARCH OG</a> <a href="#">TOP</a> <a href="#">HELP</a>							

U.S. Registration No. 3,228,694

<b>TSDR</b>	<b>ASSIGN Status</b>	<b>TTAB Status</b>	( Use the "Back" button of the Internet Browser to return to TESS)
<h1>VERMEER</h1>			
Word Mark	VERMEER		
Goods and Services	IC 016. US 002 005 022 023 029 037 038 050. G & S: Printed publications relating to agricultural, environmental, underground construction, and industrial equipment and related products and services such as productivity enhancement, customer service and other topics of interest, namely, company newsletters, [ magazines, ] bulletins and manuals; calendars, decals, note pads, binders, stationery portfolios, pencils, pens, [ paperweights, ] letter openers, cookbooks, [ book ends, ] folders for holding stationery [ photo albums, checkbook holders ]; FIRST USE: 19690101. FIRST USE IN COMMERCE: 20041115		
Standard Characters Claimed			
Mark Drawing Code	(4) STANDARD CHARACTER MARK		
Serial Number	78615822		
Filing Date	April 25, 2005		
Current Basis	1A		
Original Filing Basis	1B		
Published for Opposition	March 14, 2006		
Registration Number	3228694		
International Registration Number	0868950		
Registration Date	April 10, 2007		
Owner	(REGISTRANT) Vermeer Manufacturing Company CORPORATION IOWA 1210 Vermeer Road East Pella IOWA 50219		
Attorney of Record	Jordan E. Meggison-Decker		
Prior Registrations	1771115;2593606;2725158		
Type of Mark	TRADEMARK		
Register	PRINCIPAL-2(F)		
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20170524.		
Renewal	1ST RENEWAL 20170524		
Live/Dead Indicator	LIVE		
<b>TESS HOME</b> <b>NEW USER</b> <b>STRUCTURED</b> <b>FREE FORM</b> <b>BROWSE DATA</b> <b>SEARCH OG</b> <b>TOP</b> <b>HELP</b>			



U.S. Registration No. 6,783,436

<b>TSDR</b>	<b>ASSIGN Status</b>	<b>TTAB Status</b>	( Use the "Back" button of the Internet Browser to return to TESS)
<h1>VERMEER</h1>			
Word Mark	VERMEER		
Goods and Services	IC 007, US 013 019 021 023 024 031 034 035, G & S: Screening and sifting machinery, namely, trommel screens being machines, mechanical discharging feed hoppers, screen drum separators, rollers being parts of machines, conveyor belts, and engines not for land vehicles. FIRST USE: 20100226. FIRST USE IN COMMERCE: 20100226		
Standard Characters Claimed			
Mark Drawing Code	(4) STANDARD CHARACTER MARK		
Serial Number	90502421		
Filing Date	February 1, 2021		
Current Basis	1A		
Original Filing Basis	1B		
Published for Opposition	March 1, 2022		
Registration Number	6783436		
International Registration Number	1589407		
Registration Date	July 5, 2022		
Owner	(REGISTRANT) Vermeer Manufacturing Company CORPORATION IOWA 1210 Vermeer Road East Pella IOWA 50219		
Attorney of Record	Jordan Meggison-Decker		
Prior Registrations	1771115;2593606;3228694;4477122;4752754;5986045;6193145;AND OTHERS		
Type of Mark	TRADEMARK		
Register	PRINCIPAL-2(F)		
Live/Dead Indicator	LIVE		
<b>TESS HOME</b>	<b>NEW USER</b>	<b>STRUCTURED</b>	<b>FREE FORM</b>
<b>BROWSE DICT</b>	<b>SEARCH OG</b>	<b>TOP</b>	<b>HELP</b>

U.S. Application Serial No. 97/331,059

<b>TSDR</b>	<b>ASSIGN Status</b>	<b>TTAB Status</b>	( Use the "Back" button of the Internet Browser to return to TESS)
<h1>VERMEER</h1>			
Word Mark	VERMEER		
Goods and Services	IC 042, US 100 101, G & S: Software as a service (SAAS) services featuring software to collect and manage agricultural data; Software as a service (SAAS) services featuring software to collect and manage hay bale data; Software as a service (SAAS) services featuring software for farming and agriculture business management; Software as a service (SAAS) services featuring software for providing alerts, notifications, records, reports, and other documentation regarding field operation and farm business; Software as a service (SAAS) services featuring software for providing customers and dealers access to machine information; Providing application services, namely, developing, providing, hosting and managing software applications, websites, and databases for accessing and monitoring geographic location, productivity, and maintenance of agricultural equipment and vehicles		
Standard Characters Claimed			
Mark Drawing Code	(4) STANDARD CHARACTER MARK		
Serial Number	97331059		
Filing Date	March 25, 2022		
Current Basis	1B		
Original Filing Basis	1B		
Owner	(APPLICANT) Vermeer Manufacturing Company CORPORATION IOWA 1210 Vermeer Road East Pella IOWA 50219		
Attorney of Record	Jordan Meggison-Decker		
Type of Mark	SERVICE MARK		
Register	PRINCIPAL		
Live/Dead Indicator	LIVE		
<b>TESS HOME</b>	<b>NEW USER</b>	<b>STRUCTURED</b>	<b>FREE FORM</b>
<b>BROWSE DICT</b>	<b>SEARCH OG</b>	<b>TOP</b>	<b>HELP</b>

## EXHIBIT B

### U.S. Registration No. 5,986,045

<b>TSDR</b>	<b>ASSIGN Status</b>	<b>TTAB Status</b>	( Use the "Back" button of the Internet Browser to return to TESS)
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### VERMEER MV SOLUTIONS

Word Mark	VERMEER MV SOLUTIONS
Goods and Services	IC 007. US 013 019 021 023 031 034 035. G & S: Earth boring machines and power tools and parts for machines, namely, augers, bits, heads, reamers, drill rods, directional heads and locators, and mining tools, none of the foregoing being hand tools. FIRST USE: 20190926. FIRST USE IN COMMERCE: 20190926
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	88291685
Filing Date	February 6, 2019
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	September 24, 2019
Registration Number	5986045
Registration Date	February 11, 2020
Owner	(REGISTRANT) Vermeer Manufacturing Company CORPORATION IOWA 1210 Vermeer Road East Pella IOWA 50219
Attorney of Record	Jordan Meggison-Decker
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SOLUTIONS" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DCT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST	NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC
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### U.S. Registration No. 6,193,145

<b>TSDR</b>	<b>ASSIGN Status</b>	<b>TTAB Status</b>	( Use the "Back" button of the Internet Browser to return to TESS)
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### VERMEER MV SOLUTIONS

Word Mark	VERMEER MV SOLUTIONS
Goods and Services	IC 007. US 013 019 021 023 031 034 035. G & S: Vacuum excavators. FIRST USE: 20190916. FIRST USE IN COMMERCE: 20190916
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	88723049
Filing Date	December 11, 2019
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	August 25, 2020
Registration Number	6193145
Registration Date	November 10, 2020
Owner	(REGISTRANT) Vermeer Manufacturing Company CORPORATION IOWA 1210 Vermeer Road East Pella IOWA 50219
Attorney of Record	Jordan Meggison-Decker
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SOLUTIONS" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DCT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST	NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC
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U.S. Registration No. 4,752,754

TSDR	ASSIGN Status	TTAB Status	( Use the "Back" button of the Internet Browser to return to TESS)
 <p><b>Vermeer</b></p> <p>EQUIPPED TO DO MORE.</p>			
Word Mark	VERMEER V EQUIPPED TO DO MORE.		
Goods and Services	IC 007. US 013 019 021 023 031 034 035. G & S: Power-operated agricultural equipment, namely, hay balers, mowers and conditioners, hay rakes, bale movers, hay tedders; material reducing machines, namely, brush chippers, stump cutters, whole tree chippers, horizontal grinders, tub grinders, trommel screens, compost turners, concrete cutters; earth moving and earth boring machines, namely, pedestrian trenchers, utility trenchers, track trenchers, vibratory plows, mini skid steers, pile drive machines, guided boring machines, underground boring machines, horizontal directional drilling machines, mud mixing machines for use in drilling applications, pneumatic piercing tools. FIRST USE: 20141001. FIRST USE IN COMMERCE: 20141001		
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM		
Serial Number	86167436		
Filing Date	January 16, 2014		
Current Basis	1A		
Original Filing Basis	1B		
Published for Opposition	May 6, 2014		
Registration Number	4752754		
International Registration Number	1198092		
Registration Date	June 9, 2015		
Owner	(REGISTRANT) Vermeer Manufacturing Company CORPORATION IOWA 1210 Vermeer Road East Pella IOWA 50219		
Attorney of Record	Jordan E. Meggison-Decker		
Description of Mark	The color(s) green, black and white is/are claimed as a feature of the mark. The mark consists of the letter "V" outlined in black and with the colors green, white and black within the letter "V". The word "VERMEER" above the letter "V" in black and the words "EQUIPPED TO DO MORE." below the letter "V" in black.		
Type of Mark	TRADEMARK		
Register	PRINCIPAL		
Affidavit Text	SECT 15. SECT 8 (6-YR).		
Live/Dead Indicator	LIVE		
<a href="#">TESS HOME</a> <a href="#">NEW USER</a> <a href="#">STRUCTURED</a> <a href="#">FREE FORM</a> <a href="#">BROWSE DCT</a> <a href="#">SEARCH OG</a> <a href="#">TOP</a> <a href="#">HELP</a> <a href="#">PREV LIST</a> <a href="#">CURR LIST</a> <a href="#">NEXT LIST</a> <a href="#">FIRST DOC</a> <a href="#">PREV DOC</a> <a href="#">NEXT DOC</a> <a href="#">LAST DOC</a>			

U.S. Registration No. 4,477,122

TSDR	ASSIGN Status	TTAB Status	( Use the "Back" button of the Internet Browser to return to TESS)
<p>VERMEER CONFIDENCE PLUS</p>			
Word Mark	VERMEER CONFIDENCE PLUS		
Goods and Services	IC 036. US 100 101 102. G & S: Extended warranty services, namely, service contracts. FIRST USE: 20130416. FIRST USE IN COMMERCE: 20130416		
	IC 037. US 100 103 106. G & S: Repair or maintenance of agricultural, construction, earth moving, and material processing equipment. FIRST USE: 20130416. FIRST USE IN COMMERCE: 20130416		
Standard Characters Claimed			
Mark Drawing Code	(4) STANDARD CHARACTER MARK		
Serial Number	85852826		
Filing Date	February 18, 2013		
Current Basis	1A		
Original Filing Basis	1B		
Published for Opposition	November 19, 2013		
Registration Number	4477122		
Registration Date	February 4, 2014		
Owner	(REGISTRANT) Vermeer Manufacturing Company CORPORATION IOWA 1210 Vermeer Road East Pella IOWA 50219		
Attorney of Record	Jordan E. Meggison-Decker		
Prior Registrations	1771115/2593606		
Type of Mark	SERVICE MARK		
Register	PRINCIPAL		
Affidavit Text	SECT 15. SECT 8 (6-YR).		
Live/Dead Indicator	LIVE		
<a href="#">TESS HOME</a> <a href="#">NEW USER</a> <a href="#">STRUCTURED</a> <a href="#">FREE FORM</a> <a href="#">BROWSE DCT</a> <a href="#">SEARCH OG</a> <a href="#">TOP</a> <a href="#">HELP</a> <a href="#">PREV LIST</a> <a href="#">CURR LIST</a> <a href="#">NEXT LIST</a> <a href="#">FIRST DOC</a> <a href="#">PREV DOC</a> <a href="#">NEXT DOC</a> <a href="#">LAST DOC</a>			

U.S. Registration No. 2,725,158

<b>TSDR</b>	<b>ASSIGN Status</b>	<b>TTAB Status</b>	( Use the "Back" button of the Internet Browser to return to TESS)
 <h2>VERMEER COMPASS</h2> 			
<b>Word Mark</b>	VERMEER COMPASS		
<b>Goods and Services</b>	IC 035. US 100 101 102. G & S: Business information in the field of agricultural, earth moving, earth boring, material reducing and material handling equipment and parts therefore, provided to dealers and customers by online computer network for use in support of retail services, marketing and management; providing online directory information services also featuring hyperlinks to other websites, for use by dealers and customers in the field of agricultural, earth moving, earth boring, material reducing and material handling equipment and parts therefore. FIRST USE: 20021030. FIRST USE IN COMMERCE: 20021030		
<b>Mark Drawing Code</b>	(1) TYPED DRAWING		
<b>Serial Number</b>	76189449		
<b>Filing Date</b>	January 2, 2001		
<b>Current Basis</b>	1A		
<b>Original Filing Basis</b>	1B		
<b>Published for Opposition</b>	July 2, 2002		
<b>Registration Number</b>	2725158		
<b>Registration Date</b>	June 10, 2003		
<b>Owner</b>	(REGISTRANT) Vermeer Manufacturing Company CORPORATION IOWA 1210 Vermeer Road East P.O. Box 200 Pella IOWA 50219		
<b>Attorney of Record</b>	Jordan E. Meggison-Decker		
<b>Prior Registrations</b>	1771115		
<b>Type of Mark</b>	SERVICE MARK		
<b>Register</b>	PRINCIPAL		
<b>Affidavit Text</b>	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20130321.		
<b>Renewal</b>	1ST RENEWAL 20130321		
<b>Live/Dead Indicator</b>	LIVE		
<hr/>			
<b>TESS HOME</b>	<b>NEW USER</b>	<b>STRUCTURED</b>	<b>FREE FORM</b>
<b>BROWSE DICT</b>	<b>SEARCH OG</b>	<b>TOP</b>	<b>HELP</b>
<b>PREV LIST</b>	<b>CURR LIST</b>	<b>NEXT LIST</b>	<b>FIRST DOC</b>
<b>PREV DOC</b>	<b>NEXT DOC</b>	<b>LAST DOC</b>	



EXHIBIT C

U.S. Registration No. 6,016,704

TSDR

ASSIGN Status

TTAB Status

( Use the "Back" button of the Internet Browser to return to TESS)

FARM ROAD

Word Mark

Goods and Services

FARM ROAD  
IC 009. US 021 023 026 036 038. G & S: Downloadable computer software, downloadable computer software applications, downloadable computer software and downloadable computer applications, downloadable cloud-computing software and applications, and downloadable cloud-based software and applications, all for accessing, managing, analyzing, modelling, forecasting, monitoring, tracking, optimizing, aggregating, systemizing, compiling, storing, reporting, transmitting, disseminating, presenting and displaying of data, including via onscreen dashboards, relating to farm and agricultural production and operational performance, agricultural business analytics, farming supply-chain management and logistics, financial management, and predictive farming, being crop growing conditions, farming conditions, weather conditions, environmental factors and conditions relevant to growing including temperature, humidity, atmospheric pressure, wind activity, wind speed, wind direction, rain, water balance, evapotranspiration, leaf wetness, forms of light, solar radiation, photosynthetic active radiation, soil moisture, soil temperature, soil electrical conductivity, water salinity, water temperature, water depth, fluid levels, PH levels, phosphorus levels, dissolved oxygen and particulate sensing, for use in the field of agriculture and horticulture and farm and agricultural information management; downloadable computer software, downloadable computer software applications, downloadable computer software and downloadable computer applications, downloadable cloud-computing software and applications, and downloadable cloud-based software and applications, all for use in the operation, automation, actuation, control and monitoring of agricultural and horticultural apparatus and equipment, being in the nature of digital electronic configurable controllers, sensors and monitors, namely, temperature sensors and controllers, solar radiation sensors, climate controllers being fog controllers and carbon dioxide controllers, humidity sensors and controllers, vent controllers, water and irrigation controllers, fertigation controllers, hydroponic dosing controllers, nutrient dosing controllers, pH controllers and lighting controllers; downloadable computer software, downloadable computer software applications, downloadable computer software and downloadable computer applications, downloadable cloud-computing software and applications, and downloadable cloud-based software and applications, all for use in the management of data generated by the agricultural and horticultural apparatus and equipment, namely, controllers, sensors, monitors, pumps, fans, ventilators, heaters, thermometers, alarms and watering systems used in agriculture and horticulture; and downloadable computer software, downloadable computer software applications, downloadable computer software and downloadable computer applications, downloadable cloud-computing software and applications, and downloadable cloud-based software and applications, all for use in the operation and control of drones and robots used in agriculture and horticulture  
  
IC 042. US 100 101. G & S: Design and development of computer software for downloadable computer software and downloadable computer applications, downloadable cloud-computing software and applications, and downloadable cloud-based software and applications for use in farm and agricultural information management; software as a service (SaaS) services featuring software for use in farm and agricultural information management; hosting an online website featuring non-downloadable software for use in farm and agricultural information management; providing temporary use of a web-based software application for use in farm and agricultural information management; all the foregoing for the purpose of accessing, managing, analyzing, modelling, forecasting, monitoring, tracking, optimizing, aggregating, systemizing, compiling, storing, reporting, transmitting, disseminating, presenting and displaying of data, including via onscreen dashboards, relating to relating to farm and agricultural production and operational performance, agricultural business analytics, farming supply-chain management and logistics, financial management, and predictive farming, being crop growing conditions, farming conditions, weather conditions, environmental factors and conditions relevant to growing including temperature, humidity, atmospheric pressure, wind activity, wind speed, wind direction, rain, water balance, evapotranspiration, leaf wetness, forms of light, solar radiation, photosynthetic active radiation, soil moisture, soil temperature, soil electrical conductivity, water salinity, water temperature, water depth, fluid levels, PH levels, phosphorus levels, dissolved oxygen and particulate sensing, for use in the field of agriculture and horticulture and farm and agricultural information management; design and development of computer software for downloadable computer applications, downloadable cloud-computing software and applications, and downloadable cloud-based software and applications relating to the operation, automation, actuation control and monitoring of agricultural and horticultural apparatus and equipment; software as a service (SaaS) services featuring software for use in the operation, automation, actuation control and monitoring of agricultural and horticultural apparatus and equipment; software as a service (SaaS) services featuring software for accessing, managing, analyzing, modelling, forecasting, monitoring, tracking, optimizing, aggregating, systemizing, compiling, storing, reporting, transmitting, disseminating, presenting and displaying of data, including via onscreen dashboards, relating to the operation, automation, actuation control and monitoring of agricultural and horticultural apparatus and equipment; hosting an online website featuring software for use in the operation, automation, actuation control and monitoring of agricultural and horticultural apparatus and equipment; providing temporary use of a web-based software application for use in the operation, automation, actuation control and monitoring of agricultural and horticultural apparatus and equipment; all the foregoing agricultural and horticultural apparatus and equipment being in the nature of digital electronic configurable controllers, sensors and monitors, namely, temperature sensors and controllers, solar radiation sensors, climate controllers being fog controllers and carbon dioxide controllers, humidity sensors and controllers, vent controllers, water and irrigation controllers, fertigation controllers, hydroponic dosing controllers, nutrient dosing controllers, pH controllers and lighting controllers

ingestible containers, beverage containers, hydropneumatic containers, nutrient feeding containers, pH containers and lighting containers

**Standard Characters Claimed**  
**Mark Drawing Code** (4) STANDARD CHARACTER MARK  
**Serial Number** 88359764  
**Filing Date** March 27, 2019  
**Current Basis** 44E  
**Original Filing Basis** 1B;44D  
**Published for Opposition** January 7, 2020  
**Registration Number** 6016704  
**Registration Date** March 24, 2020  
**Owner** (REGISTRANT) Autogrow Systems Limited LIMITED LIABILITY COMPANY NEW ZEALAND Level 1, Building 3, Candida Office Park 61 Constellation Drive Auckland NEW ZEALAND 0632  
(LAST LISTED OWNER) WAYBEYOND LIMITED LIMITED LIABILITY COMPANY NEW ZEALAND LEVEL 1, BUILDING 3, CANDIDA OFFICE PARK 61 CONSTELLATION DRIVE AUCKLAND NEW ZEALAND 0632  
**Assignment Recorded** ASSIGNMENT RECORDED  
**Attorney of Record** Thomas J. ROMANO  
**Priority Date** March 12, 2019  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FARM" APART FROM THE MARK AS SHOWN  
**Type of Mark** TRADEMARK. SERVICE MARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

[TESS HOME](#) [NEW USER](#) [STRUCTURED](#) [FREE FORM](#) [BROWSE DICT](#) [SEARCH OG](#) [TOP](#) [HELP](#)

U.S. Registration No. 6,720,689

TSDR	ASSIGN Status	TTAB Status	( Use the "Back" button of the Internet Browser to return to TESS )
<h1>Ulto</h1>			
Word Mark	ULTO		
Goods and Services	<p>IC 007. US 013 019 021 023 024 031 034 035. G &amp; S: Industrial robots; robotic arms for industrial purposes being structural and active parts of industrial robots; industrial robots for industrial purposes; industrial robots for commercial purposes; robotic mechanisms being power-operated lifting and dumping machines for locomotion, lifting and loading of persons and goods; locomotive robotic mechanisms being robotic exoskeleton suits being machines, other than for medical purposes; robots for medicine and medical technology, except surgical robots, namely, robotic mechanisms being cutting machines; driving devices for robots and robotic equipment, namely, electric motors for machines, driving motors other than for land vehicles, gear drives in the nature of machine parts, and planetary gear motors; driving devices for machines, namely, electric motors, driving motors other than for land vehicles, gear drives in the nature of machine parts, and planetary gear motors; rotary and linear motors, driving devices in the nature of electric motors, driving motors other than for land vehicles, gear drives in the nature of machine parts, and planetary gear motors for the operation of robots and robotic machines; industrial robots and industrial robotic machines and appropriate equipment, namely, robotic mechanisms being electric welding machines, road making machines, concrete construction machines, bulldozers, excavating machines, drilling machines, electric and pneumatic hammers, cranes, ploughs, and lawnmowers, for agriculture, earthmoving, construction, oil and gas extraction and mining; robotic sweeping, cleaning, washing and laundering machines, namely, robotic vacuum cleaners, sweeping robots in the nature of floor cleaning machines, road sweeping robotic machines, and industrial robots; robots for sweeping, cleaning and washing, namely, robotic vacuum cleaners, road sweeping robotic machines, and industrial robots; robotic cleaners for household purposes, namely, robotic vacuum cleaners, sweeping robots in the nature of floor cleaning machines, and industrial robots; automated assembly industrial robots; milling and molding industrial robots; material manufacturing and processing industrial robots; 3D printers; robotic construction machines, namely, robotic mechanisms being lifting and dumping machines for containers, road making machines, concrete construction machines, bulldozers, excavating machines, drilling machines, electric and pneumatic hammers, and cranes; gears for industrial robots; pneumatic rotary actuators for robots; linear actuators for robots; reducing gears for machines; safety couplings for industrial robots and machines; regulators being part of industrial robots and motors not for land vehicles; agricultural, earthmoving, construction, oil and gas extraction and mining equipment, namely, robotic mechanisms being lifting and dumping machines for containers, road making machines, concrete construction machines, bulldozers, excavating machines, drilling machines, electric and pneumatic hammers, cranes, ploughs, and lawnmowers; rotary and linear pumps, electric compressors and fans for motors, and engines; moving and handling equipment, namely, robots being machines in the nature of lifting installations for the transport of persons and goods; current generators; machines and machine tools for treatment of materials and for manufacturing, namely, robotic mechanisms being material handling machines in the nature of palletizers, cutting, grinding, and polishing machines; dispensing machines, namely, machines for dispensing packaging material, construction material and semi-finished materials; parts and fittings for all aforementioned goods</p> <p>IC 009. US 021 023 026 036 038. G &amp; S: Downloadable computer software for robots and artificial intelligence for operating industrial robots, drones, and robotic cars; embedded computer software for robots and artificial intelligence for operating industrial robots, drones, and robotic cars; humanoid robots with artificial intelligence; humanoid robots for the end user with artificial intelligence; humanoid robots for entertainment with artificial intelligence; autonomous humanoid robots with artificial intelligence for the use in industrial, tactical, and security surveillance applications; teaching robots; laboratory robots; security surveillance robots; data processing equipment relating to robots, robot parts, or robotic applications, namely, electronic controllers for humanoid robots with artificial intelligence, and microchips; hardware for artificial intelligence, namely electronic controllers for humanoid robots with artificial intelligence, and microchips; software programmable microprocessors for robots or robotic systems; software programmable microprocessors for artificial intelligence or systems based on artificial intelligence; recorded computer operating systems software; electronic sensors used in robots for detection of location, movement, and acceleration of objects; electronic sensors for use with systems based on artificial intelligence for detection of location, movement, and acceleration of objects; electronic sensors for use in for detection of location, movement, and acceleration of objects; of engines; electronic sensors used in plant control for detection of location, movement, and acceleration of objects; camera systems comprised of cameras, microphones, and video and audio recorders for robots; cameras for vehicles; downloadable and embedded computer software for biometric systems for the identification and authentication of persons; navigation, guidance, tracking, targeting and map making devices, namely, satellite aided navigation systems, electric navigational instruments, and cameras; autonomous driving control systems for vehicles comprised of computer hardware and software for steering and control of vehicles; controllers in the nature of regulators, namely, electrical controllers, voltage regulators, current converters; downloadable and embedded software for controlling the operation of robots and analyzing data; speech recognition apparatus, namely, wearable computer hardware to remote control robots and robotic vehicles; speech digital sound processors; telematic terminal apparatus, namely, electric navigational instruments, audiovisual receivers and telecommunications transmitters of telematics communication; flight controlling apparatus, namely, control systems comprised of computer hardware and software for steering and control of unmanned aerial vehicles; electronic navigational and positioning apparatus; electronic target location apparatus, namely electronic sensors for detection of location, movement, and acceleration of objects and cameras for identifying targets; wireless controllers to remotely monitor and control the function and status of other electrical, electronic, and mechanical devices or systems excluding gaming apparatus; wireless controllers to remotely monitor and control the function and status of electronic security systems excluding gaming apparatus; instrumentation simulators for driving or control of vehicles; recorded content, namely, multimedia file containing artwork, text, audio, video, games, and Internet Web links relating to the field of humanoid robots for teaching the operation and handling of robots and vehicles; magnets, magnetizers and demagnetizers; apparatus, instruments and cables for electricity, namely, electric cables, and apparatus in the nature of electric batteries, chargers for electric batteries, and electronic circuits, for conveying, distributing, transforming, storing, regulating and controlling electric current; optical devices, enhancers and correctors, namely, eye pieces for head mounted displays; safety, security, protection and signaling devices, namely, proximity sensors, position sensors, encoders, electric actuators; parts and fittings for all aforementioned goods</p> <p>IC 012. US 019 021 023 031 035 044. G &amp; S: Drones; robotic cars; robotic transport vehicles; driverless cars; remotely operated land vehicles; unmanned aerial vehicles; motor for land vehicles; mobility land and aerial conveyors for transportation; mobility scooters; electrically operated wheelchairs; remote controlled drones; pilotless aircraft; gears for vehicles; motors, electric, for land vehicles; land vehicles and aerial conveyances; parts and fittings for vehicles and wheels, namely, tires and continuous tracks in the nature of tires for vehicle wheels, and treads used to retread tires for vehicles; parts and fittings for all aforementioned goods, except for motors; transportation robots namely, robotic transport vehicles</p>		

IC 037. US 100 103 106. G & S: Installation, cleaning, maintenance and repair of robots; installation, cleaning, maintenance and repair of equipment and facilities relating to artificial intelligence; installation, cleaning, maintenance and repair relating to vehicles and drones, namely, robotic cars, robotic land vehicles, robotic transport vehicles, pilotless aircrafts, drones, civilian and tactical drones; electric appliance installation and repair; installation of industrial plant; installation of prefabricated building elements; maintenance and repair of robots; maintenance and repair of electronic apparatus; maintenance and repair of gears; maintenance of data processing apparatus; maintenance and repair of hardware for data processing apparatus; replacement of batteries; installation of data processing equipment; providing information relating to the installation of robots; providing information relating to the installation of electrical apparatus; rental and leasing of goods relating to the provision of the aforementioned services; consultancy services and information relating to the aforementioned services

IC 042. US 100 101. G & S: Engineering services relating to robotics; engineering services relating to artificial intelligence; engineering services relating to data processing; engineering services relating to the design of electronic systems; engineering research; engineering consultancy services; technological engineering analysis; engineering services relating to computer programming; engineering services; software engineering; computer software and hardware system development for robots and artificial intelligence; computer software development; computer programming and computer software implementation; design and development of robots; research in the field of robotics; research in the field of information technology; development of data bases; creation of control computer programs for electric operation control and drive modules; development of driver software; design and development of computer firmware; design and development of computer software for use with medical technology; design and development of computer hardware for the manufacturing industry; design of information systems relating to finance; software development; development of prostheses; design of computer hardware; software as a service (SAAS) services namely, hosting software for use by others for use in analyzing data; software as a service (SAAS) services namely, hosting software for use by others for controlling the operation of robots; software as a service (SAAS) services namely, hosting software for use by others for use in training and analyzing data with artificial intelligence; updating of computer software relating to robots; updating of computer software relating to artificial intelligence; online electronic data storage services; monitoring of computer systems by remote access to ensure proper functioning; maintenance and updating of computer software; providing temporary use of online non-downloadable business software for use in analyzing data; providing temporary use of online non-downloadable business software for controlling the operation of robots; providing temporary use of online non-downloadable business software for use in training and analyzing data with artificial intelligence; providing temporary use of non-downloadable web application for use in analyzing data; providing temporary use of non-downloadable web application for controlling the operation of robots; providing temporary use of non-downloadable web application for training and analyzing data with artificial intelligence; data encryption, decryption and authentication of digital certificates of information, messages and data; rental of teaching robots, laboratory robots, security surveillance robots, and humanoid robots with artificial intelligence, excluding surgical robots; rental of computers and computer software in terms of artificial intelligence; rental of computers and computer software; computer rental; rental of financial management software; rental of computer software; data mining using artificial intelligence; data mining; design of computer machine and computer software for commercial analysis and reporting; machine condition monitoring, namely, monitoring of computer systems to detect breakdown; Providing search engines for the internet; calibration of robots; calibration of artificial intelligence; calibration services relating to electronic apparatus; calibration of instruments; computerized business information electronic data storage; temporary electronic storage of information and data; IT services, namely development, programming for others and implementation of computer software, development of computer hardware, server and web site hosting services, IT consulting and information services, IT security in the nature of development of security systems and contingency planning for information systems, data encoding services, computer system analysis and diagnostics, computer project management services, data mining, digital watermarking, data migration services, updating web sites for others, monitoring of computer systems by remote access to ensure proper functioning; scientific and technological services, relating to computers, namely, information technology consulting services; computer testing, authentication of digital certificates and quality control for others; computer hardware design services; rental and leasing of goods relating to the provision of the aforementioned services; consultancy services and information relating to the aforementioned services; re-calibration of robots; re-calibration of data processing apparatus

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 79294939

**Filing Date** May 23, 2019

**Current Basis** 66A

**Original Filing Basis** 66A

**Published for Opposition** February 22, 2022

**Registration Number** 6720689

**International Registration Number** 1553262

**Registration Date** May 24, 2022

**Owner** (REGISTRANT) Ulto UG (haftungsbeschränkt) & Co. KG limited liability company FED REP GERMANY c/o Engel, Gipsstr. 16 FED REP GERMANY

**Attorney of Record** Frank J. Bonini, Jr.

**Priority Date** November 23, 2018

**Type of Mark** TRADEMARK, SERVICE MARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE



U.S. Registration No. 5,477,791

<b>TSDR</b>	<b>ASSIGN Status</b>	<b>TTAB Status</b>	( Use the "Back" button of the Internet Browser to return to TESS)
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# data drone

<b>Word Mark Goods and Services</b>	<p><b>DATA DRONE</b></p> <p>IC 009. US 021 023 026 036 038. G &amp; S: graphical user interface software; computer software for the processing and transmission of data, documents, sound, and images, namely, software for aerial drone surveying and mapping; computer software for database management; computer programs for data management of digital images in the fields of mining, agriculture, hydrology, and industrial inspection; data storage devices, namely, blank flash drives; apparatus for recording, transmission, reproduction and processing of sound and images; observation instruments, namely, cameras, microphones, and light detection and ranging apparatus; data processing equipment, namely, computers; database and information storage apparatus, namely, data storage computer servers</p> <p>IC 012. US 019 021 023 031 035 044. G &amp; S: Civilian drones; military drones</p> <p>IC 038. US 100 101 104. G &amp; S: Data transmission and telecommunication services, namely, electronic data transmission; transmission of data, documents, sounds and images by computer, electronic means and via the Internet; provision of user access to computer programs and software on data networks; provision of telecommunications connections to databases</p> <p>IC 041. US 100 101 107. G &amp; S: Education and training, specifically, conducting training classes for the operation and maintenance of drones; club services, namely, providing training to members in the field of drones; organization and conducting of educational colloquiums, conferences and congresses on drones</p> <p>IC 042. US 100 101. G &amp; S: Software as a service (SAAS), specifically, cloud computing featuring software for use in database management in the field of aerial drone surveying and mapping; design and development of operating software used for accessing and using a cloud computing network; provision of computer programs on data networks in the nature of leasing computer programs; hosting of servers; electronic data storage; design and development of computers and software; development, installation, maintenance, updating and rental of computer software; computer programming; computer system design services; evaluations and assessments in the fields of science and technology provided by engineers being consulting in the field of engineering; scientific and technical research in the field of aeronautics</p>
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	<p>26.01.21 - Circles that are totally or partially shaded.</p> <p>26.01.30 - Circles, exactly four circles ; Four circles</p> <p>26.05.21 - Triangles that are completely or partially shaded</p> <p>26.17.01 - Bands, straight ; Bars, straight ; Lines, straight ; Straight line(s), band(s) or bar(s)</p> <p>26.17.04 - Bands, vertical ; Bars, vertical ; Lines, vertical ; Vertical line(s), band(s) or bar(s)</p> <p>26.17.05 - Bands, horizontal ; Bars, horizontal ; Horizontal line(s), band(s) or bar(s) ; Lines, horizontal</p> <p>26.17.06 - Bands, diagonal ; Bars, diagonal ; Diagonal line(s), band(s) or bar(s) ; Lines, diagonal</p>
<b>Serial Number</b>	79212589
<b>Filing Date</b>	April 20, 2017
<b>Current Basis</b>	66A
<b>Original Filing Basis</b>	66A
<b>Published for Opposition</b>	March 13, 2018
<b>Registration Number</b>	5477791
<b>International Registration Number</b>	1356164
<b>Registration Date</b>	May 29, 2018
<b>Owner</b>	(REGISTRANT) DELTA DRONE Société Anonyme à Conseil d'Administration FRANCE 27 chemin des Peupliers, Multiparc du Jubin F-69570 DARDILLY FRANCE
<b>Attorney of Record</b>	Michelle P. Ciotola
<b>Priority Date</b>	November 28, 2016
<b>Disclaimer</b>	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "DATA DRONE" APART FROM THE MARK AS SHOWN
<b>Description of Mark</b>	The color(s) blue is/are claimed as a feature of the mark. The mark consists of a design, shaded in blue, consisting of a circle containing a triangle with circles at its corners to the left of the wording "DATA DRONE" shaded in blue.
<b>Type of Mark</b>	TRADEMARK SERVICE MARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

<b>TESS Home</b>	<b>NEW USER</b>	<b>STRUCTURED</b>	<b>FREE FORM</b>	<b>BROWSE DATA</b>	<b>SEARCH OQ</b>	<b>TOP</b>	<b>HELP</b>
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U.S. Registration No. 6,060,876

<b>TSDR</b>	<b>ASSIGN Status</b>	<b>TTAB Status</b>	( Use the "Back" button of the Internet Browser to return to TESS)
<h1>EVERDRONE</h1>			
<b>Word Mark</b>	EVERDRONE		
<b>Goods and Services</b>	<p>IC 009. US 021 023 026 036 038. G &amp; S: Computer programs concerning vehicle control, namely, computer programs for operation and control of unmanned aerial vehicles, aerial vehicles, and drones; computer programs for autonomous control of aircraft; remote control transmitters for radio-controlled devices in unmanned aerial vehicles, aerial vehicles, and drones; control apparatus in the nature of electronic controllers for unmanned aerial vehicles, aerial vehicles, aircraft and drones; control apparatus in the nature of on-board computers for navigation apparatus in unmanned aerial vehicles, aerial vehicles, aircraft and drones; computer programs for managing aircraft; computer programs for monitoring aircraft; computer programs for monitoring aircraft data; computer programs for planning of air traffic; computer programs for controlling of drones; electric sensors for unmanned aerial vehicles, aerial vehicles, aircraft and drones; electronic sensors for identifying and mapping the physical surroundings of unmanned aerial vehicles, aerial vehicles, aircraft and drones; electro-optical sensors for unmanned aerial vehicles, aerial vehicles, aircraft and drones; optical fibre sensors for unmanned aerial vehicles, aerial vehicles, aircraft and drones; photoelectric sensors for unmanned aerial vehicles, aerial vehicles, aircraft and drones; optical sensors for unmanned aerial vehicles, aerial vehicles, aircraft and drones; electric or electronic sensors for use together with unmanned aerial vehicles, aerial vehicles, aircraft and drones; cameras; cameras for use together with unmanned aerial vehicles, aerial vehicles, aircraft and drones; batteries for unmanned aerial vehicles, aerial vehicles, aircraft and drones; chargers for batteries; battery chargers and batteries for use with unmanned aerial vehicles, aerial vehicles, aircraft and drones; radar apparatus for unmanned aerial vehicles, aerial vehicles, aircraft and drones; software for monitoring drones and drone fleets</p> <p>IC 012. US 019 021 023 031 035 044. G &amp; S: Unmanned aerial vehicles for transportation, inspections, inventory, photography, filming, mapping, paging, monitoring, agriculture business, forestry business; autonomous vehicles, namely, aircraft and drones; driverless vehicles, namely, unmanned aerial vehicles, aerial vehicles, aircraft and drones; unmanned aerial vehicles; unmanned aerial vehicles for search and rescue, emergency response; self-driving transport vehicles, namely, unmanned aerial vehicles, aerial vehicles, aircraft and drones; aircraft, drones; unmanned aircraft, namely, unmanned aerial vehicles</p>		
<b>Standard Characters Claimed</b>			
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK		
<b>Serial Number</b>	79230647		
<b>Filing Date</b>	November 24, 2017		
<b>Current Basis</b>	66A		
<b>Original Filing Basis</b>	66A		
<b>Published for Opposition</b>	March 10, 2020		
<b>Registration Number</b>	6060876		
<b>International Registration Number</b>	1398266		
<b>Registration Date</b>	May 26, 2020		
<b>Owner</b>	(REGISTRANT) Everdrone AB JOINT STOCK COMPANY SWEDEN S�ve Flygplatsv�g 30 SE-423 73 S�ve SWEDEN		
<b>Attorney of Record</b>	Josh A. Partington		
<b>Priority Date</b>	November 6, 2017		
<b>Type of Mark</b>	TRADEMARK		
<b>Register</b>	PRINCIPAL		
<b>Live/Dead Indicator</b>	LIVE		
<b>TESS HOME</b> <b>NEW USER</b> <b>STRUCTURED</b> <b>FREE FORM</b> <b>BROWSE DATA</b> <b>SEARCH OG</b> <b>TOP</b> <b>HELP</b>			

U.S. Registration No. 5,404,272

<a href="#">TSDR</a> <a href="#">ASSIGN Status</a> <a href="#">TTAB Status</a> <span style="color: red;">( Use the "Back" button of the Internet Browser to return to TESS )</span>	
AUTOGROW	
<b>Word Mark</b>	AUTOGROW
<b>Goods and Services</b>	IC 009. US 021 023 026 036 038. G & S: Digital electronic configurable controllers, sensors and monitors for use in agriculture and/or horticulture, namely, temperature sensors and controllers, solar radiation sensors, climate controllers being fog controllers and carbon dioxide controllers, humidity sensors and controllers, vent controllers, water and irrigation controllers, fertigation controllers, hydroponic dosing controllers, nutrient dosing controllers, pH controllers and lighting controllers; structural parts and fittings for the aforesaid equipment and apparatus; computer software and computer software applications and downloadable computer software and computer software applications, all for use in the operation and monitoring of agricultural and horticultural equipment and apparatus in the nature of agricultural and horticultural temperature controllers, humidity controllers, fog controllers, vent controllers, irrigation controllers, fertigation controllers, hydroponic dosing controllers, nutrient dosing controllers, carbon dioxide controllers, pH controllers and lighting controllers, air temperature sensors, humidity sensors and solar radiation sensors, agricultural and horticultural watering systems, piping and hoses, and timers, pumps, fans, ventilators, heaters, thermometers, alarms, AV monitors and speakers used in, in relation to, and with the foregoing agricultural and horticultural equipment and apparatus; computer software and computer software applications and downloadable computer software and computer software applications, all for use in the operation and control of drones and robots used in agriculture and horticulture; computer software and computer software applications and downloadable computer software and computer software applications, all for use in the management of data generated by the aforesaid equipment and apparatus, being controllers, sensors, monitors, pumps, fans, ventilators, heaters, thermometers, alarms and watering systems used in agriculture and horticulture
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	87072945
<b>Filing Date</b>	June 15, 2016
<b>Current Basis</b>	44E
<b>Original Filing Basis</b>	1B;44D
<b>Published for Opposition</b>	December 5, 2017
<b>Registration Number</b>	5404272
<b>Registration Date</b>	February 20, 2018
<b>Owner</b>	(REGISTRANT) Autogrow Systems Limited limited company (Ltd.) NEW ZEALAND Building 3, 106 Bush Road Auckland NEW ZEALAND 0632  (LAST LISTED OWNER) WAYBEYOND LIMITED LIMITED LIABILITY COMPANY NEW ZEALAND LEVEL 1, BUILDING 3, CANDIDA OFFICE PARK 61 CONSTELLATION DRIVE AUCKLAND NEW ZEALAND 0632
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Thomas J. ROMANO
<b>Priority Date</b>	June 14, 2016
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE
<a href="#">TESS HOME</a> <a href="#">NEW USER</a> <a href="#">STRUCTURED</a> <a href="#">FREE FORM</a> <a href="#">BROWSE DCT</a> <a href="#">SEARCH OG</a> <a href="#">TOP</a> <a href="#">HELP</a>	

U.S. Registration No. 6,356,197

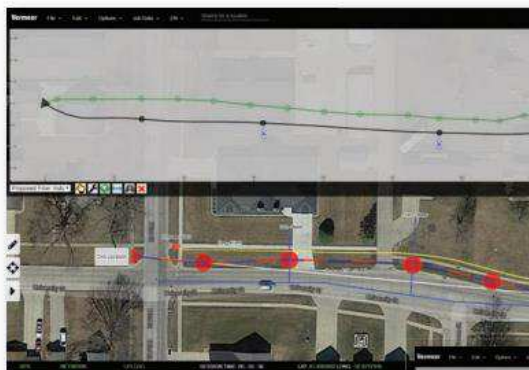
<div> <a href="#">TSDR</a> <a href="#">ASSIGN Status</a> <a href="#">TTAB Status</a> </div> <div> <i>( Use the "Back" button of the Internet Browser to return to TESS )</i> </div>	
	
<b>Word Mark</b>	TRIMBLE POWERED
<b>Goods and Services</b>	IC 009, US 021 023 026 036 038, G & S: Electronic navigational and positioning apparatus and instruments; Surveying instruments; laser measuring systems; laser rangefinders; Global Navigation Satellite System (GNSS) consisting of GNSS receiver and antenna; Global Navigation Satellite System (GNSS) sensors and receivers; antennas for wireless communication; Global navigation satellite system (GNSS) surveying systems, namely, GNSS receivers, antennas, sensors, computer hardware and software for use in collecting, organizing, processing, transmitting and viewing data derived from global navigation satellite systems (GNSS) receivers and sensors, and radio signal transmitters, and with wireless data transmission capabilities, all for use in geographical information systems field work, agricultural and construction work, land surveying, forestry, public safety, field services, utilities, military and other outdoor or service-related applications; Construction and civil engineering systems, comprising global navigation satellite systems (GNSS) receivers, surveying instruments, namely, total stations, and computer software for use in collecting, organizing, processing, transmitting and viewing data derived from global navigation satellite systems (GNSS) receivers and sensors, for use in project design and monitoring, machine control and surveying; GPS and GNSS receivers, antennas, and integrated circuit modules and chipsets for use in the manufacture of handheld computers, personal digital assistants, cell phones and cameras; Scientific instrument consisting of computer hardware, software and firmware, global navigation satellite system (GNSS), global positioning system (GPS) and global navigation satellite system (GLONASS) transmitters, receivers, antennas, and seismic sensors, for use in acquiring, processing, recording, measuring, imaging, analyzing, interpreting and transmitting seismic, geodetic, and accelerometer data and signals; Handheld, portable and tablet computers; portable and handheld digital electronic devices for recording, organizing, transmitting, manipulating and reviewing text, data, image and audio files; Automatic navigational apparatus for vehicles in the nature of on-board computers, namely, a steering system for motorized farm vehicles, which provides global navigation satellite system (GNSS)-based positioning and guidance control; Cameras for use in aerial metric photogrammetry; Accessories for global navigation satellite system (GNSS) surveying systems, namely, rechargeable batteries, and extension battery cables; Downloadable computer software for use as a receiver in connection with a Global Navigation Satellite System (GNSS), and for navigation and positioning applications; Software development kit (SDK) comprised of software development tools and application programming interface (API) software for use in developing applications and programs for mobile phones, computers, and computing devices; Computer software for use in collecting, organizing, processing, transmitting and viewing data derived from global navigation satellite systems (GNSS) receivers and sensors for use in surveying, mapping, positioning, tracking and navigation; Embedded computer software for use in receiving, processing, visualizing and analyzing data, sold as an integral component of global navigation satellite system (GNSS) receivers; Software for operating unmanned aerial systems (UAS) comprised of drones and remote controllers for drones. FIRST USE: 20201001. FIRST USE IN COMMERCE: 20201001
<b>Mark Drawing Code</b>	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
<b>Design Search Code</b>	01.07.25 - Globes, other 24.19.02 - Playback control button symbols ; Play, pause, forward, reverse, rewind, stop, repeat, shuffle, and eject symbols used in media player devices 26.05.21 - Triangles that are completely or partially shaded 26.11.07 - Rectangles with a decorative border, including scalloped, ruffled and zig-zag edges 26.11.20 - Rectangles inside one another 26.11.21 - Rectangles that are completely or partially shaded
<b>Serial Number</b>	87403646
<b>Filing Date</b>	April 7, 2017
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	February 13, 2018
<b>Registration Number</b>	6356197
<b>Registration Date</b>	May 18, 2021
<b>Owner</b>	(REGISTRANT) Trimble Inc. CORPORATION DELAWARE 935 Stewart Drive Sunnyvale CALIFORNIA 94085
<b>Attorney of Record</b>	Andrea Anderson
<b>Description of Mark</b>	Color is not claimed as a feature of the mark. The mark consists of a stylized globe and triangle design to the left of the word "TRIMBLE" to the left of a rectangle with a triangle on its left side containing the word "POWERED", all contained in a larger rectangle.
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

[TESS HOME](#)
[NEW USER](#)
[STRUCTURED](#)
[FREE FORM](#)
[BROWSE DICT](#)
[SEARCH OG](#)
[TOP](#)
[HELP](#)

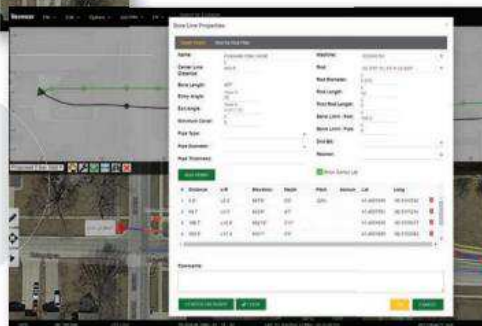
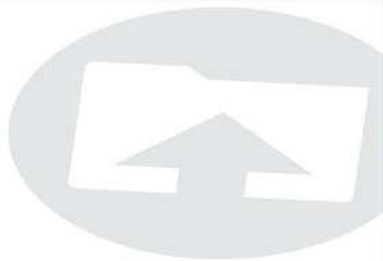


**EXHIBIT D****Vermeer Projects Suite**

Vermeer Projects is a subscription-based software tool for organizing jobsite information and making planning and installation more efficient. This software creates one digital record of the entire job that can be shared in real time with a computer, tablet or phone.



Subscribers can select from different levels of features offering varying capabilities in job record management. The first level, Vermeer Projects, makes it simple for operations managers to collect, organize and share important job documentation through the cloud. Vermeer Projects +Mapping gives crew leaders the ability to visually capture the jobsite over a Google Maps image, including intended bore path whiteline, pothole locations, locate positions, marked utilities and bore path as-built. Lastly, Vermeer Projects +Mapping +Boreplan adds bore line mapping and rod-by-rod bore planning.



#### KEY BENEFITS:

##### Projects

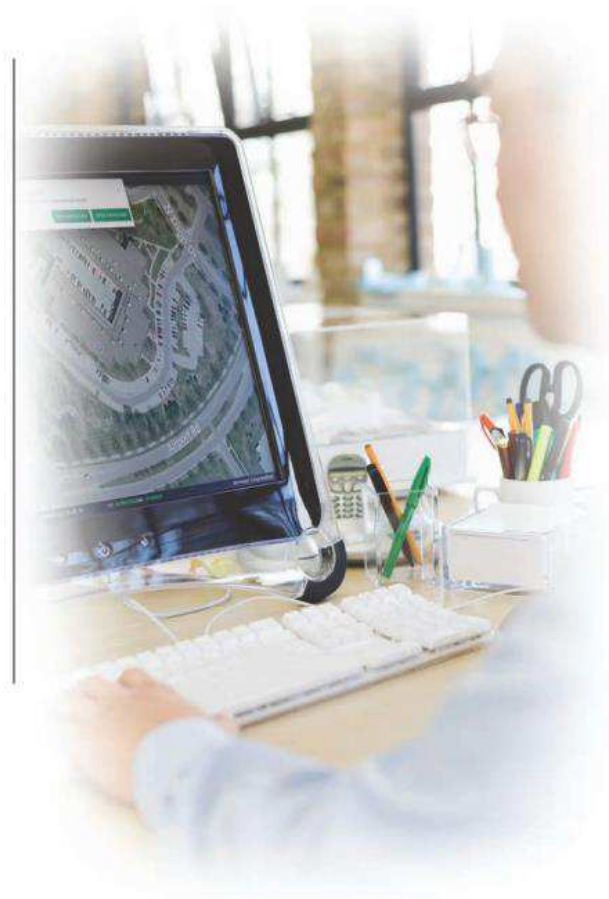
- **Consolidates** views into one map of the entire jobsite and gathers job information such as permits to create a comprehensive digital plan.
- **Updates** job plan changes into one file that can be shared electronically through the cloud in near real time.
- **Creates** one digital record of the entire job, generates reports for invoicing and keeps records accessible without the hassle of paper files.

##### +Mapping (Must have Projects)

- **Collects**, records and shares proposed bore path and marked, existing utilities information to help reduce the risk of error.
- **"White Lines"** the project site using Google Maps imaging, digitizing the mapping process.
- **Creates** detailed, visual plans with marked utilities and as-built information to share with crews and project owners.

##### +BorePlan (Must have Projects +Mapping)

- **Allows** operator to generate the rod plan for use onsite and for secure record documentation.
- **Stores** jobsite data, the highest per user storage available.



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| Projects